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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/535,062	05/12/2005	Mauri Kangas	886A.0010.U1(US)	2391
29683	7590	10/20/2006	EXAMINER	
HARRINGTON & SMITH, LLP 4 RESEARCH DRIVE SHELTON, CT 06484-6212			AU, GARY	
			ART UNIT	PAPER NUMBER
			2617	

DATE MAILED: 10/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/535,062	Applicant(s) KANGAS, MAURI	
	Examiner Gary Au	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10, 12, 14-17 and 23-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 12, 14-17 and 23-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-10, 12, 14-17 and 23-48 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-7, 9, 10, 12, 14, 16, 17, 23, 24, 26-28, 31-34, 36-40, 42-46 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application No. 2002/0092024 Nagaoka et al. (Nagaoka) and further in view of US Patent No. 6,845,230 (Syed).

Considering claims 1 and 23, Nagaoka teaches a method of configuring a digital broadcast receiver (set top box 4 – figure 1, [0036]) to receive individually addressed messages through a digital broadcast network ([0036]), wherein said messages are selected from the group of: messages derived from a different network ([0061]), and messages emanating from a different network ([0061]), the method comprising: sending to said digital broadcast receiver through said digital broadcast network message detection data that allows said digital broadcast receiver to identify messages broadcast

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through said digital broadcast network with at least one individual address corresponding to said digital broadcast receiver, and storing said message detection data for use in said digital broadcast receiver to detect messages addressed thereto ([0053] and [0061], where Nagaoka teaches sender ID in the mobile phones but it is also applicable to the set top box), wherein said message detection data is selected from a group comprising: message detection data including identity data corresponding to an individual identification code stored in said digital broadcast receiver ([0053], where Nagaoka teaches sender ID in the mobile phones but it is also applicable to the set top box). However, Nagaoka fails to disclose message detection data which is encrypted using a substantially unique key associated with said digital receiver.

In an analogous art, Syed teaches message detection data which is encrypted using a substantially unique key associated with said digital receiver (col. 13 line 66 – col. 14 line 6).

Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Nagaoka's system to include message detection data which is encrypted using a substantially unique key associated with said digital receiver, as taught by Syed, for the advantage of providing security to the data.

Considering claim 10, Nagaoka teaches a digital broadcast receiver (set top box 4 – figure 1, [0036]) configurable for receiving individually addressed messages through a digital broadcast network ([0036]), wherein said messages are selected from the group of: messages derived from a different network ([0061]), and messages emanating

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from a different network ([0061]), the digital broadcast receiver comprising: a receiver (set top box 4 – figure 1, [0036]) for receiving through said digital broadcast network message detection data that allows said digital broadcast receiver to identity messages broadcast through said digital broadcast network with at least one individual address corresponding to said digital broadcast receiver ([0053]), and inherently a memory for storing said message detection data for use in said digital broadcast receiver to detect messages addressed thereto (set top box 4 – figure 1, [0036], where a set top box has to have a memory), wherein said message detection data is selected from a group comprising: message detection data including identity data corresponding to an individual identification code stored in said digital broadcast receiver ([0053], where Nagaoka teaches sender ID in the mobile phones but it is also applicable to the set top box). However, Nagaoka fails to disclose message detection data which is encrypted using a substantially unique key associated with said digital receiver.

In an analogous art, Syed teaches message detection data which is encrypted using a substantially unique key associated with said digital receiver (col. 13 line 66 – col. 14 line 6).

Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Nagaoka's system to include message detection data which is encrypted using a substantially unique key associated with said digital receiver, as taught by Syed, for the advantage of providing security to the data.

Considering claims 12, 28 and 34, Nagaoka teaches a method of operating a digital broadcast network to configure a digital broadcast receiver (set top box 4 – figure 1, [0036]) to receive individually addressed messages through said digital broadcast network ([0036]), wherein said messages are selected from a group comprising: messages derived from a network different from said digital broadcast network ([0061]), and messages emanating from a network different from said digital broadcast network ([0061]), the method comprising: receiving specific data corresponding to said digital broadcast receiver ([0044]), identify messages broadcast through said digital broadcast network with at least one individual address corresponding to said digital broadcast receiver ([0044]), and sending said message detection data to said digital broadcast receiver through said digital broadcast network for storage in said digital broadcast receiver to detect messages addressed individually thereto ([0061]). However, Nagaoka fails to disclose message detection data which is encrypted using a substantially unique key associated with said digital receiver.

In an analogous art, Syed teaches message detection data which is encrypted using a substantially unique key associated with said digital receiver (col. 13 line 66 – col. 14 line 6).

Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Nagaoka's system to include message detection data which is encrypted using a substantially unique key associated with said digital receiver, as taught by Syed, for the advantage of providing security to the data.

Considering claims 3 and 42, Nagaoka teaches the digital broadcast receiver comprises a set top box (set top box 4 – figure 1, [0036]).

Considering claims 4, 24, 31, 36 and 43, Nagaoka teaches storing the data in the digital broadcast receiver ([0044]), and Syed teaches said digital broadcast receiver has said substantially unique key stored therein (col. 13 line 66 – col. 14 line 6), and said method includes decrypting said message detection data with said key at said digital broadcast receiver and selectively storing said decrypted data in said digital broadcast receiver (col. 13 line 66 – col. 14 line 6, where Syed is discussing including encryption key in the data and the receiver would use the key to decrypt the data).

Considering claims 5, 14, 26, 32, 37 and 44, Nagaoka teaches said digital broadcast receiver has said individual identification code stored therein ([0053], where Nagaoka teaches sender ID in the mobile phones but it is also applicable to the set top box), and said method includes identifying said identity data and selectively storing in said digital broadcast receiver said detection data corresponding to said stored identity data ([0053], where Nagaoka teaches sender ID in the mobile phones but it is also applicable to the set top box).

Considering claims 6, 17 and 45, Nagaoka teaches said at least one individual address corresponds to an individual identification code of said digital broadcast receiver ([0053]).

Considering claims 7, 16, 27, 33, 38 and 46, Syed teaches said message detection data includes a decryption key corresponding to said address, said decryption key being for decoding encrypted messages sent to said address at said digital broadcast receiver (col. 13 line 66 – col. 14 line 6, where Syed is discussing including encryption key in the data and the receiver would use the key to decrypt the data).

Considering claims 9, 39, 40 and 48, Nagaoka teaches said message detection data includes a plurality of addresses associated with an individual identification code of said digital broadcast receiver ([0053]) and Syed teaches decryption keys associated with individual ones of said addresses (col. 13 line 66 – col. 14 line 6).

4. Claims 2, 15, 25, 29, 30, 35 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application No. 2002/0092024 Nagaoka et al. (Nagaoka) and US Patent No. 6,845,230 (Syed) as applied to claims 1 above, and further in view of US Patent Application No. 2003/0056220 Thornton et al. (Thornton).

Considering claims 2, 15, 25, 29, 30, 35 and 41, the combined system of Nagaoka and Syed teaches a method according to claim 1 but fails to disclose the messages comprises MMS messages.

In an analogous art, Thornton teaches MMS message ([0006]).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the combined system of Nagaoka and Syed to include

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MMS message, as taught by Thornton, for the advantage of increasing the media that can be sent among mobile devices ([0006]).

5. Claims 8 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application No. 2002/0092024 Nagaoka et al. (Nagaoka) and US Patent No. 6,845,230 (Syed) as applied to claim 1 above, and further in view of US Patent No. 6,993,327 (Mathis).

As to claims 8 and 47, the combined system of Nagaoka and Syed teaches method of claim 1 but fails to disclose a group address for a message multicast through the network.

In an analogous art, Mathis teaches a group address for a message multicast through said digital broadcast network (col. 6 lines 1-10).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the combined system of Nagaoka and Syed to include a group address for a message multicast through said digital broadcast network, as taught by Mathis, for the advantage of reducing network traffic (col. 1 line 52 – col. 2 line 9).

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary Au whose telephone number is (571) 272-2822. The examiner can normally be reached on 8am-5pm Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

GA


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